

REMARKS

Claims 1, 4, 5, 12 and 13 are pending in this application. By this Amendment, independent claim 1 is amended to incorporate the features of claim 3 and claims 3 and 6-11 are canceled without prejudice to, or disclaimer of, the subject matter recited therein. No new matter is added. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

The Office Action objects to the drawings. The objection is respectfully traversed.

The Office action asserts that the fluid pump being provided between the first filter means and the flexible portion is not illustrated in the drawings. However, as shown in Figs. 1 and 3, the hydrogen pump (circulation means, pressure raising means, fluid pump) 19 includes pump filter means (first filter means) 19a to trap the generated foreign matter (see page 11, lines 10-13 of the specification). Because the first filter means 19a is shown to be within the fluid pump 19, Figs. 1 and 3 show that at least a portion of the fluid pump 19 can be provided between the first filter means 19a and the flexible portion 18 or 21. Thus, it is respectfully requested that the objection be withdrawn.

The Office Action rejects claims 1, 4, 5, 12 and 13 under 35 U.S.C. §102(b) over Ko et al. (Ko), U.S. Patent No. 5,733,441. The rejection is respectfully traversed.

Claim 1 incorporates the features of canceled claim 3, which the Office Action does not reject over Ko. Therefore, independent claim 1 and dependent claims 4, 5, 12 and 13 are patentable over Ko for at least this reason. Thus, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claims 1, 3, 5-7, 10 and 11 under 35 U.S.C. §102(b) over Yoshioka, U.S. Patent No. 5,988,213. The rejection of canceled claims 3, 6, 7, 10 and 11 is moot. The rejection of claims 1 and 5 is respectfully traversed.

Yoshioka does not disclose a fluid supply device having a first filter means and a pressurizing means, wherein the first filter means is provided within the pressurizing means or between the pressurizing means and the flexible portion, as recited in independent claim 1.

Yoshioka discloses a vehicle fuel supplying apparatus having a fuel pump 7 with a filter 8 disposed at the suction port 7b¹ of the fuel pump 7 (see Fig. 3 and col. 1, lines 13-26). Yoshioka also discloses that rubber hose 9, 24, and supply pipe 10 connect the fuel pump 7 to a fuel filter 30 (see Fig. 3). Yoshioka also discloses that fuel is filtered by filter paper 34 within the fuel filter 30 before it flows into the fuel flow prevention valve 35 (see Figs. 3 and 4, and col. 4, lines 17-22). But, filter 8 is not provided within the fuel pump 7 or between the fuel pump 7 and the rubber hose 9 or 24. Specifically, filter 8 is positioned to the side of the fuel pump 7. Filter 8 is not positioned within the fuel pump 7 or between the fuel pump 7 and the rubber hose 9 (see Figs. 1 and 3, and col. 1, lines 17-21). Thus, Yoshioka does not disclose a fluid supply device having a first filter means and a pressurizing means, wherein the first filter means is provided within the pressurizing means or between the pressurizing means and the flexible portion, as recited in independent claim 1.

Further, Yoshioka does not disclose a fluid supply device wherein a filter accuracy of a second filter means is lower than a filter accuracy of a first filter means, as recited in independent claim 1.

As discussed above, Yoshioka discloses a filter 8 disposed at the suction port 7b of the fuel pump 7 and a fuel filter 30 to filter dust or the like generated in the fuel pump 7 (see Fig. 3; col. 1, lines 13-26; and col. 4, lines 17-22). Yet, Yoshioka does not disclose that the filter accuracy of filter 8 is lower than the filter accuracy of fuel filter 30. As such, Yoshioka

¹ Suction port 7b is not labeled in the figures.

does not disclose a fluid supply device wherein a filter accuracy of a second filter means is lower than a filter accuracy of a first filter means, as recited in independent claim 1.

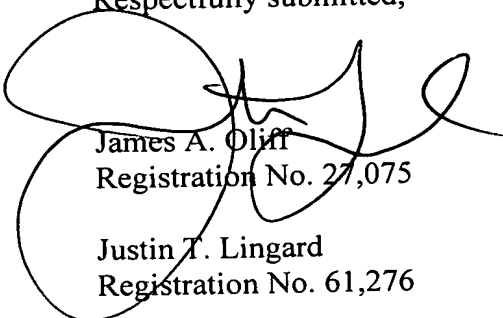
Therefore, independent claim 1 and dependent claim 5 are patentable over Yoshioka. Thus, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claim 8 under 35 U.S.C. §103(a) over Yoshioka and rejects claim 9 under 35 U.S.C. §103(a) over Yoshioka in view of Murakoshi et al. (Murakoshi), U.S. Patent No. 6,206,037. The rejections of canceled claims 8 and 9 are moot.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Justin T. Lingard
Registration No. 61,276

JAO:JTL/emd

Date: August 19, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
